

MAR 09 2007

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

|   |    |                      |                    |
|---|----|----------------------|--------------------|
| <b>TRANSMITTAL<br/>FORM</b><br>(to be used for all correspondence after initial filing) |    | Application Number   | 10/581,697         |
|   |    | Filing Date          | June 6, 2006       |
|   |    | First Named Inventor | Christian Gschwend |
|   |    | Group Art Unit       |                    |
|   |    | Examiner Name        |                    |
| Total Number of Pages in This Submission<br>(including this sheet)                      | 30 | Attorney Docket No.  | 3701.RHP.PT        |

**ENCLOSURES (check all that apply)**

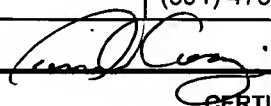
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|---|---|---|
| <input type="checkbox"/> Amendment / Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Appeal Communication:<br><input type="checkbox"/> Appeal Notice<br><input type="checkbox"/> Appeal Brief<br><input type="checkbox"/> Reply Brief<br><input type="checkbox"/> Assignment with Cover Sheet<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Check in the amount of \$____<br><input type="checkbox"/> Credit card authorization in the amount of \$____<br><input type="checkbox"/> Declaration & Power of Attorney<br><input type="checkbox"/> Drawings ____ sheets<br><input type="checkbox"/> Formal <input type="checkbox"/> Informal | <input type="checkbox"/> Extension of Time Request<br>____ month<br><input type="checkbox"/> Fee Calculation Table<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input checked="" type="checkbox"/> Form 1449<br><input checked="" type="checkbox"/> Copies of IDS References<br><input type="checkbox"/> Issue Fee Transmittal & Advance Order | <input type="checkbox"/> Maintenance Fee Transmittal<br>____ year<br><input type="checkbox"/> Missing Parts Response<br><input type="checkbox"/> Notification of Change of Attorney Address & Docket Number<br><input checked="" type="checkbox"/> Return Postcard<br><input type="checkbox"/> Revocation & Power of Attorney<br><input type="checkbox"/> Status Inquiry<br><input type="checkbox"/> Other: |
|---|---|---|

**Remarks****SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Attorney for Applicant

Frank W. Compagni, Registration No. 40,567  
 MORRISS O'BRYANT COMPAGNI, P.C.  
 136 South Main Street, Suite 700  
 Salt Lake City, Utah 84101  
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Signature



Date

3-5-07

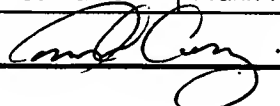
**CERTIFICATE OF MAILING UNDER 37 CFR § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, on the date indicated below, in an envelope addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Typed or Printed Name

Frank W. Compagni

Signature



Date

3-5-07

Patent



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Christian Gschwend

SERIAL NO.: 10/581,697

FILING DATE: June 6, 2006

TITLE: BAG HOLDER

ART UNIT:

EXAMINER:

DOCKET NO.: 3701.RHP.PT

CERTIFICATE OF MAILING  
UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, under 37 C.F.R. § 1.8 on the date indicated below and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Frank W. Comptani

3-5-07

Date of Deposit

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.98(a)(1), enclosed is Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Information Disclosure Statement is filed, pursuant to 37 C.F.R. § 1.97 (b), within three months of the filing date of the application, within three months of the date of entry of the national stage set forth in § 1.491 or before the mailing date of a first Office action on the merits. Applicant requests that the references cited in the enclosed form PTO-1449 be made of record in the above-captioned application. While no representation is made that any of the references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /BD/

Commissioner for Patents

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patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously submitted or listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no reference which is more relevant to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with the waiver of 37 C.F.R. § 1.98(a)(2)(i) published in the Official Gazette on August 5, 2003 for U.S. patent applications filed after June 30, 2003, copies of each cited U.S. patent and each U.S. patent application publication are not enclosed. Applicant has submitted copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. § 1.98 (a)(2). Any listed reference that is not in the English language is accompanied by a concise explanation in English of its relevance as required under 37 C.F.R. § 1.98(a)(3)(i).

Please charge any additional fees or credit any overpayment to Deposit Account No. 50-0881.

DATED this 5<sup>th</sup> day of March, 2007.

Respectfully submitted,



Frank W. Compagni  
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# INFORMATION DISCLOSURE

## STATEMENT BY APPLICANT

MAR 09 2007

(Use as many sheets as necessary)

|                      |                    |
|----------------------|--------------------|
| Application Number   | 10/581,697         |
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| First Named Inventor | Christian Gschwend |
| Group Art Unit       |                    |
| Examiner Name        |                    |
| Attorney Docket      | 3701.RHP.PT        |

1 of 1

### U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Document Number<br>Number-Kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|---|--------------------------------|---|---|
|                    |                       | US-2,692,108  | 10-19-1954                     | Neivert   |   |
|                    |                       | US-5,697,661  | 12-16-1997                     | Robinson et al.                                 |   |
|                    |                       | US-   |                                |   |   |
|                    |                       | US-   |                                |   |   |
|                    |                       | US-   |                                |   |   |
|                    |                       | US-   |                                |   |   |
|                    |                       | US-   |                                |   |   |
|                    |                       | US-   |                                |   |   |
|                    |                       | US-   |                                |   |   |
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|                    |                       | US-   |                                |   |   |
|                    |                       | US-   |                                |   |   |
|                    |                       | US-   |                                |   |   |
|                    |                       | US-   |                                |   |   |
|                    |                       | US-   |                                |   |   |

### FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Foreign Patent Document<br>Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T <sup>6</sup> |
|--------------------|-----------------------|--|--------------------------------|---|---|----------------|
|                    |                       | FR 457 204 A   | 09-13-1913                     | Luther  |   |                |
|                    |                       | DE 471 831 C   | 02-18-1929                     | Schweitzer                                      |   |                |
|                    |                       | DE 623 033 C   | 12-11-1935                     | Firma Hermann Taege                             |   |                |
|                    |                       | FR 1 015 197 A   | 08-28-1952                     | Montero   |   |                |
|                    |                       |  |                                |   |   |                |

|                    |                     |                 |            |
|--------------------|---------------------|-----------------|------------|
| Examiner Signature | /Bradley Duckworth/ | Date Considered | 04/22/2008 |
|--------------------|---------------------|-----------------|------------|

\*EXAMINER: Initial if reference considered, whether or not citation in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /BD/